

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PIRS CAPITAL, LLC,

Plaintiff,

-against-

DERRICK CHEN, A/K/A/ DERRICK RUN
LONG CHEN,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY
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23 Civ. 10343 (AT) (GS)

**ORDER ADOPTING
REPORT AND
RECOMMENDATION**

On November 11, 2023, Defendant *pro se*, Derrick Chen, removed to this Court an action pending in the Supreme Court of the State of New York, New York County. ECF No. 1. Plaintiff, PIRS Capital, LLC, moved to remand the action to state court on January 19, 2024. ECF No. 13. The Court referred the motion to Magistrate Judge Gary Stein. ECF No. 17.

After careful consideration, Judge Stein issued a Report and Recommendation (the “R&R”) proposing that the motion be granted and the action remanded to the New York County Supreme Court in accordance with the parties’ forum selection clause. R&R at 27, ECF No. 18. Despite notification of the right to object to the R&R, no objections were filed, and the time to do so has passed. *See id.* at 28; Fed. R. Civ. P. 72(b)(2). When no objection is made, the Court reviews the R&R for clear error. *Santiago v. Colvin*, 12 Civ. 7052, 2014 WL 1092967, at *1 (S.D.N.Y. Mar. 17, 2014). The Court finds no clear error in Judge Stein’s thorough and well-reasoned R&R.

Accordingly, the Court ADOPTS Judge Stein’s R&R in its entirety. This matter is REMANDED to the Supreme Court of New York, New York County. Any pending motions are moot and all deadlines and conferences are vacated. The Clerk of Court is directed to remand the action and close the case.

SO ORDERED.

Dated: August 26, 2024
New York, New York



ANALISA TORRES
United States District Judge